

SASKATCHEWAN  
children's  
advocate  
OFFICE

*A Voice for Youth*



Growing  
for  
**SASKATCHEWAN**

## 2010 Annual Report



**Letter of Transmittal**

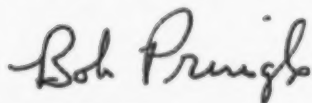
May 4, 2011

The Honourable Don Toth  
Speaker of the Legislative Assembly  
Legislative Building  
Regina SK S4S 0B3

Dear Mr. Speaker:

In accordance with *The Ombudsman and Children's Advocate Act*, it is my privilege to submit to you, and to the members of the Legislative Assembly, my first *Annual Report* as Saskatchewan Children's Advocate.

Respectfully submitted,



Bob Pringle  
Children's Advocate  
Province of Saskatchewan



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# Children's Advocate

*Saskatchewan Children's Advocate, Bob Pringle, is an independent statutory officer of the Legislative Assembly. He acts as a voice for children and youth, and is committed to ensuring that their rights, best interests and well-being are respected.*



Bob Pringle  
Saskatchewan Children's Advocate

## Change for Children and Youth

It is an honour to table the Children's Advocate Office's *2010 Annual Report* on behalf of my predecessor, Marvin Bernstein, whose five-year term concluded last fall. Marv's ongoing passion and commitment to the children and youth of Saskatchewan was easily recognizable as we reflected on the important work of the past year.

The final project undertaken under Marv's direction by the Children's Advocate Office was a detailed submission to the Saskatchewan Child Welfare Review Panel, of which I served as Chair prior to my appointment as Children's Advocate in November 2010. This submission, *Change for Children and Youth*, is appended to this report as it is the result of a significant investment of the Office's time and resources in 2010, and serves as an amalgam of the issues and recommendations identified and advocated for under the leadership of Marv, as well as the first Children's Advocate, Dr. Deborah Parker-Loewen.

I have already reviewed these issues and recommendations as part of all the submissions made to the Panel. In my new role as Children's Advocate, I look forward to reviewing and prioritizing the Office's recommendations that require urgent advocacy for change. Ministry of Social Services' management has already committed to meetings with our Office to discuss each of the issues identified and recommendations made in *Change for Children and Youth*. This will be part of the broader implementation of the Child Welfare Review recommendations and action steps, including consultations with stakeholders as child welfare legislation is reviewed in 2011-12.

Following in the footsteps of my predecessors is a weighty task, and I thank both of them for their contributions to the Saskatchewan Child Welfare Review and the growth of the Children's Advocate Office over the past 15 years. Their sage counsel has continued as I began my term as Children's Advocate in January 2011, and I look forward to partnering with them as they both continue to work on the provincial and national scenes as fervent advocates for children and youth.

## Building Bridges and Better Outcomes

I plan to carry forward to the Children's Advocate Office much of the information I gained last year from listening to so many individuals and groups involved in the child welfare system. In turn, I anticipate learning from the dedicated staff of the Office who have worked with so many individual children and youth during its history. We are also committed to enhancing collaborative approaches already begun with government representatives and First Nations and Métis peoples in order to achieve better outcomes for Saskatchewan children and youth.

In the first few weeks as Children's Advocate, I had the opportunity to meet with fellow members of the Canadian Council of Child and Youth Advocates in Toronto. Our discussions at that time centered on our objection to *An Act to Amend the Youth Criminal Justice Act* (Bill C-4) currently in front of Parliament. Since then, the Council has submitted a statement to the Standing Committee on Human Rights and garnered media coverage from across the country for its stance on the proposed amendments. In such a short time, it was truly inspiring to work with such dedicated advocates for children and youth on such an important issue.

If we can pool our resources and tap into the collective experience and passion found both inside and outside of Saskatchewan to address the issues facing children and youth, and particularly the over representation of Aboriginal children and youth in our child welfare and young offender systems, I know that we can achieve much in the next few years!



## Setting Preliminary Priorities and Objectives

While it is still very early in my tenure as Children's Advocate, I feel fortunate that my history as Minister of Social Services when the Office was formed and my recent experience on the Child Welfare Review Panel has prepared me to set some preliminary priorities and objectives for the Office.

In her second Annual Report, Dr. Parker-Loewen commented that, "*Balancing case advocacy activities with public education demands and with the need to identify and bring forward systemic questions will continue to be a major task.*" This challenge remains 15 years later, with the majority of the Office's resources dedicated to serving individual or small groups of children and youth in the care or custody of the Government of Saskatchewan. The Office has not had the capacity to consistently address the broader issues affecting all children and youth in our province, such as those found in the social, health or education sectors.

So first, we are undertaking independent program reviews of the current functions of the Office (public education, advocacy, investigations and administration) including examining best practices of other child and youth advocates across Canada. We will be starting this spring with our Advocacy services to find more efficient and effective ways to handle individual and group cases, so we can expand the capacity of our front-line Advocates to engage in systemic advocacy and public education.

Second, once those program reviews are completed, we are anticipating a significant period of strategic planning in the fall of 2011 to identify short and long-term goals from one to five years in duration. We look forward to examining the expansion of the research function of our Office, which has never been fully funded or put into operation. Also, we will be looking for means to better integrate the results of our research, investigation, advocacy and public education efforts to realize better service by our Office for Saskatchewan children and youth.

Finally, this spring, the Government of Saskatchewan has begun the lengthy task of changing *The Ombudsman and Children's Advocate Act* to address recommendations made by the Ombudsman and our Office in 2008. By the time this legislative process is complete in spring 2012, we hope to have completed our program reviews and strategic planning to be strongly positioned for any expanded role or responsibilities granted in that new legislation. Additionally, we anticipate that the Government's response to the Child Welfare Review will have some evolutionary implications for our Office.

## Growing for Saskatchewan

We have lofty goals for the next several years at the Children's Advocate Office, and we can only accomplish them if we grow. That is, both in terms of our independence (with new legislation) and our capacity (with additional resources). I look forward to exploring expanded opportunities for our Office to serve Saskatchewan children and youth, and responding to the needs of the growing Aboriginal and immigrant populations in our communities.

Thank you to the members of the Saskatchewan Legislative Assembly for unanimously supporting my appointment as Children's Advocate. It is with great pleasure that I have begun that work.

*Bob Pringle*

# About the Office

*The Children's Advocate Office is staffed by a team of advocates, investigators, and administrative, research and communications professionals, who work under the leadership of the Children's Advocate on behalf of Saskatchewan children and youth.*

## Vision and Mandate

**Our vision** is that the rights, interests and well-being of children and youth in Saskatchewan are respected and valued in our communities and in government legislation, policy and practice.

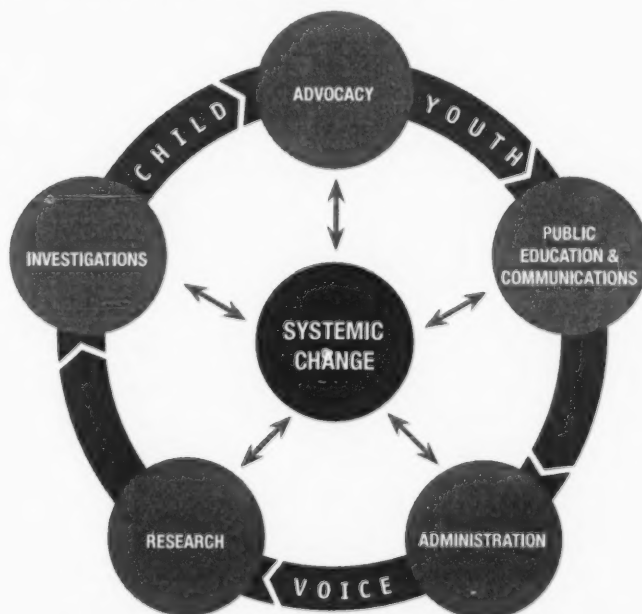
**Our mandate** is derived from unique legislation, *The Ombudsman and Children's Advocate Act*, which designates the Children's Advocate as an independent officer of the Legislative Assembly of Saskatchewan.

While we may conduct research or advise any minister responsible on any matter relating to the rights, interests and well-being of children and youth, our efforts focus on the three main functions of the Office:

- **Advocacy** on behalf of a child or group of children to resolve matters through non-adversarial approaches.
- **Investigations** into any matter concerning a child or group of children, or services to a child or group of children by any government ministry or agency.
- **Public Education** to raise awareness of the rights, interests and well-being of children and youth.

These three functions are all interconnected and support the over arching goal of the Children's Advocate Office to create systemic change for the benefit of Saskatchewan children and youth.

**Diagram 1: The Work of the Children's Advocate Office**





## Operational Principles

The principles that support the day-to-day operations of the Children's Advocate Office highlight the respect, value and dignity established in the relationship we have with our primary audience—the children and youth of Saskatchewan. We believe that all people, particularly children and youth, must be treated with respect, recognizing their inherent dignity as human persons.

The Children's Advocate Office will:

- Act in accordance with *The Ombudsman and Children's Advocate Act*.
- Give priority to children and youth in all activities we undertake.
- Deliver services that are respectful, appropriate, accessible, accountable, timely, lawful and consistent, irrespective of the location of the child or youth, their circumstances, culture or background.
- Respect the right to privacy of the child or youth, as well as all other parties involved in the advocacy process.
- Provide services that are consistent with principles of administrative fairness.
- Act in accordance with the Children's Advocate Office *Code of Ethics*.

## Guiding Principles

Four years ago, the Children's Advocate Office developed a set of eight Guiding Principles intended to reflect a commitment to put *Children and Youth First* in all aspects of our service provision. These principles also reflect the core beliefs and values that we advance in our work with government ministries and agencies, and with those who serve and provide care to children and youth.

All children and youth in Saskatchewan are entitled to:

- Those rights defined by the United Nations *Convention on the Rights of the Child*.
- Participate and be heard before any decision affecting them is made.
- Have their 'best interests' given paramount consideration in any action or decision involving them.
- An equal standard of care, protection and services.
- The highest standard of health and education possible in order to reach their fullest potential.
- Safety and protection from all forms of physical, emotional and sexual harm, while in the care of parents, governments, legal guardians or any person.
- Be treated as the primary client, and at the centre, of all child-serving systems.
- Have consideration given to the importance of their unique life history and spiritual traditions and practices, in accordance with their stated views and preferences.

Did you  
KNOW ?

*In response to a recommendation of the Children's Advocate Office, the Government of Saskatchewan adopted the Children and Youth First Principles in February 2009.*



# Advocacy

*The Children's Advocate Office has the legislated responsibility to try to resolve those matters that come to our attention through the use of negotiation, conciliation, mediation or other non-adversarial approaches.*

## Who Can Contact Us

Anyone can contact the Children's Advocate Office if they have a concern about a child or group of children receiving services from a provincial ministry or agency. Children and youth are encouraged to call on their own behalf. However, many parents, foster parents, social workers, health professionals and extended family also call on behalf of children and youth.

We listen to the concerns raised and ask questions to clarify the information. We review the steps the contact source has already taken to resolve the issue or dispute. We may offer information or referrals to more appropriate agencies or ministries to assist them in advocating for themselves or on behalf of a child or youth. When appropriate, the issue or dispute will be forwarded to one of our Advocates, who will attempt to contact the child or youth concerned.

Advocacy on behalf of the child or youth is usually initiated at his or her request. The Advocate will negotiate a resolution to the matters raised and may formally review and/or investigate the concern in accordance with *The Ombudsman and Children's Advocate Act*. If a child or youth is unable to provide direction to the Children's Advocate Office, the Advocate will work to ensure that the child or youth receives all of the services to which they are entitled under provincial legislation and ministry policy.

*The Ombudsman and Children's Advocate Act* establishes the range of services to be provided by the Children's Advocate Office and positions children and youth as the primary clients of the Office. While the majority of advocacy services are provided to children and youth up to the age of 18, services are available for youth up to age 21 when they are receiving services pursuant to the *Youth Criminal Justice Act*, or Section 56 of *The Child and Family Services Act*.

The Children's Advocate Office typically receives concerns regarding the ministries of Social Services, Health, Education, Justice and Attorney General, Corrections, Public Safety and Policing, as well as First Nations child and family services agencies.

## How We Help

Those children, youth, parents, professionals and community members who contact the Children's Advocate Office to request assistance are first referred to the Early Resolution Advocate, who provides a timely response to all calls, with priority given to children and youth.

Through interviews conducted to gather information, the Early Resolution Advocate identifies the relevant issues, determines if a complaint or enquiry falls within the jurisdiction of the Office, and then initiates the appropriate action. Self-advocacy services that

provide information or clarification about government policies and procedures, as well as existing appeal mechanisms, may be offered to the caller.

If self-advocacy strategies are not appropriate to the situation, the Early Resolution Advocate may make initial calls and conduct preliminary negotiations with decision-makers in government ministries on behalf of the child or youth in question.





If these early intervention strategies are not sufficient, the caller may be referred to an Advocate for further assistance. Once a file has reached this level, intervention may involve face-to-face meetings with the child, youth or others. The Advocate may also facilitate and participate in case conferences and meetings, and network with multiple government ministries and organizations, as necessary, to resolve the issue or concern.

If a caller's concerns are outside the jurisdiction of the Children's Advocate Office, the Early Resolution Advocate may provide information and self-advocacy strategies to assist the caller in resolving his or her concerns. Examples of issues reported over which we do not have jurisdiction include: custody or access disputes, concerns with local schools and school boards, decisions of courts or Justices of the Peace, and federal government programs and services.



Did you  
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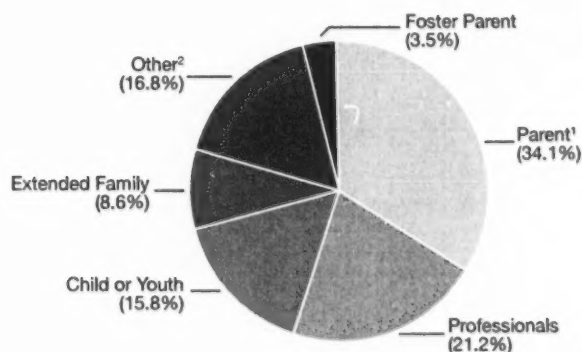
*Children's Advocate Office staff members have worked with over 10,000 children and youth in our 15-year history.*

## Who is Contacting the Office?

In 2010, the total number of requests for service to the Children's Advocate Office was 1,841. Of that total, 1,477 were requests for advocacy services from the Office.

The Children's Advocate Office becomes aware of concerns and issues from a variety of sources. In 2010, the largest number of contacts came to the Office from custodial and non-custodial parents or other caregivers at 34.1 per cent of all calls. The percentage of professionals—including social workers, teachers, physicians, nurses and mental health workers—increased between 2009 and 2010 from 17.4 to 21.2 per cent of all contacts. Similarly, the number of children and youth contacting the Office on their own increased from 13.5 to 15.8 per cent.

**Chart 1: Relationship of Contact Person to Child or Group of Children in 2010**



<sup>1</sup> Includes parents, step-parents, non-custodial parents, legal guardians, caregivers and persons of sufficient interest to the child.

<sup>2</sup> Includes interested third parties such as band representatives, babysitters and neighbours. Also includes anonymous or unknown callers.

*The Children's Advocate Office made 62 referrals in 2010 for children and youth to access independent legal representation from the Pro Bono Program offered in partnership by the Office and Pro Bono Law Saskatchewan. In 38 (61 per cent) of those cases, the Program did not have a volunteer lawyer available who could serve as counsel for the child or youth.*

## Why are they Contacting the Office?

In 2010, 46.3 per cent of all issues referred to the Office related to services provided by the Ministry of Social Services, which was a decrease from 2009 when that number was 54.6 per cent. An additional 12.3 per cent of all issues referred in 2010 related to services provided by First Nations child and family services agencies, which operate under the delegated authority of the Ministry of Social Services. This was a significant increase over 2009, when those issues related to 5.4 per cent of all reported.

This increase in referrals about children and youth in care on reserve can be correlated to an increased awareness of our Office's advocacy services created through public education by our Advocates in group homes operated by First Nations child and family services agencies.

Therefore, while the Ministry of Social Services had fewer issues referred to the Children's Advocate Office in 2010, the increase in issues related to First Nations child and family agencies means that the overall rate of issues dealing with the provision of child welfare services in Saskatchewan actually increased from 60.3 per cent in 2009 to 66.6 per cent in 2010.

Concerns and issues referred to the Children's Advocate Office regarding the Ministry of Corrections, Public Safety and Policing increased from 8.4 per cent in 2009 to 10.9 per cent in 2010. The Ministry of Justice and Attorney General—with non-jurisdictional custody and access issues constituting the majority of those calls—accounted for 2.6 per cent, while Ministry of Education related issues accounted for 2.0 per cent and the Ministry of Health accounted for 0.9 per cent in 2010.

**Table 1: Reported Issues by Ministry, Agency or Other to the Children's Advocate (2008-10)**

|                                       | 2008 | 2009 | 2010 | Change <sup>1</sup> |
|---------------------------------------|------|------|------|---------------------|
| <b>Provincial Ministries</b>          |      |      |      |                     |
| Corrections, Public Safety & Policing | 177  | 177  | 224  | 26.6%               |
| Education                             | 54   | 41   | 40   | -2.4%               |
| Health                                | 42   | 23   | 19   | -17.4%              |
| Justice & Attorney General            | 94   | 123  | 54   | -56.1%              |
| Social Services                       | 753  | 1144 | 954  | -16.6%              |
| First Nations CFS Agencies            | 132  | 120  | 254  | 111.7%              |
| Community-Based Organizations         | 33   | 32   | 59   | 84.4%               |
| No Ministry or Agency Identified      | 35   | 15   | 110  | 633.3%              |
| Legislative Assembly                  | 17   | 33   | 9    | -72.7%              |
| Law Enforcement                       | 16   | 23   | 18   | -21.7%              |
| Courts of Law                         | 11   | 22   | 45   | 104.5%              |
| Professional Associations             | 43   | 78   | 68   | -12.8%              |
| Other Provincial Governments          | 10   | 14   | 13   | -7.1%               |
| Federal Government                    | 6    | 4    | 2    | -50.0%              |
| Non-jurisdictional                    | 34   | 144  | 191  | 32.6%               |

<sup>1</sup> This is the per cent change between 2009 and 2010.

## Themes and Emerging Issues

Of those issues referred to the Children's Advocate Office regarding the child welfare system in 2010, the themes remain consistent with previous years. Case management and planning for children and youth in care of the Ministry of Social Services and delegated First Nations child and family services agencies remains the primary issue referred to our Office. This includes reported concerns about an absence of a case plan or disagreement with case planning decisions.

The Children's Advocate Office also received referrals about children and youth who have disagreed with a particular residential placement; have concerns about safety and stability due to multiple moves; and feel that the views of a parent and/or the Ministry of Social Services are given precedence over their own. There were also reported concerns from parents, extended family and professionals about the quality of some residential placements for children and youth in care.

In 2010, children and youth in care continued to express concerns about the lack of communication about their case plan and/or a lack of opportunity to participate in the process. Similarly, we received concerns of reports of contact standards by caseworkers not being met, and an overall lack of information sharing with children and youth in care about decisions affecting them.

Another common theme found in concerns received by the Children's Advocate Office is the lack or denial of services and supports, which may include concerns about a government ministry not providing supports for children and youth with disabilities, or failing to provide access to medical and mental health treatment, prescribed drugs, educational or recreational opportunities to children and youth in care or custody.

Additionally, reports by children and youth living in residential group homes or in young offender facilities continued to increase in 2010. In particular, the rapid expansion of group homes in the past two years appears to have contributed to an increase in concerns about staff training and preparedness to appropriately care, nurture and protect children and youth placed in some of these facilities.

A significant issue to emerge in 2010, was the inability of the Pro Bono Program, offered in partnership by the Children's Advocate Office and Pro Bono Law Saskatchewan, to meet the majority of referrals for independent legal representation for children and youth involved in child welfare proceedings. This program was created in 2007 and intended to be an interim measure until legislation, policy and programming could be implemented to meet the needs of children and youth in our province. It appears that the need for this service has significantly outgrown the capacity of an unfunded, volunteer program and that it is time for the Government of Saskatchewan to address this issue by amending legislation and policy, and enacting a funded program of independent legal representation in our province.



Did you  
KNOW



*That The Child and Family Services Act expressly prohibits children and youth from being parties to their own child welfare proceedings in Saskatchewan, and that we are working to change what we believe to be a contravention of the Canadian Charter of Rights and Freedoms and the United Nations Convention on the Rights of the Child.*

# Investigations

*The Children's Advocate Office has the legislated responsibility to receive, review and investigate concerns regarding services provided to children and youth by the Government of Saskatchewan.*

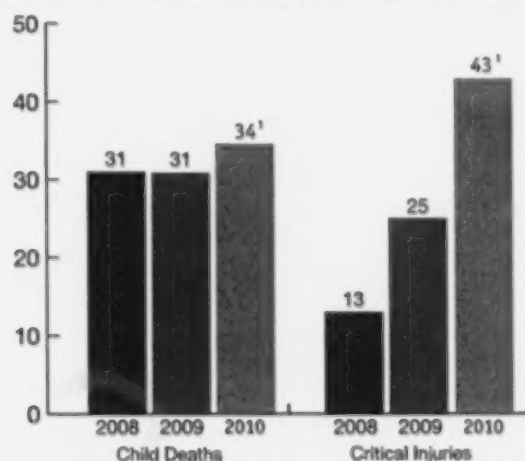
The Children's Advocate Office provides a range of investigation options to children and youth in Saskatchewan. Under its mandate from *The Ombudsman and Children's Advocate Act*, the Office provides children and their natural advocates with a full continuum of investigative services, including:

- Child Death Investigations
- Critical Injury Investigations
- Fairness Investigations
- Program and Services Investigations
- Mandatory Investigations (initiated upon referral by a Committee of the Saskatchewan Legislative Assembly or Lieutenant Governor in Council)

Regardless of the type of investigation undertaken, the fundamental purpose is the same, which is to recommend changes in government legislation, policy and/or practice to prevent future harm to children and youth; improve the quality of services provided by child protection and other child-serving systems; and promote greater public accountability.

We place the rights, best interests and well-being of the child or youth at the centre of all investigations. An investigation can focus on a single issue or include an assessment of many issues, and can involve many ministries, agencies and/or systems. In-depth, multi-disciplinary investigations examine all relevant child-serving systems that have provided services to the child or youth in question, and typically involve the review and analysis of multiple government systems.

**Chart 2: Number of Child Death and Critical Injury Referrals Received (2008-10)**



<sup>1</sup> Up until June 1, 2010, the Ministry of Social Services and the Ministry of Corrections, Public Safety and Policing notified the Children's Advocate Office when a child or youth dies or is critically injured while in receipt of direct or delegated services or had received those services within 12 months of his or her death or critical injury. As of June 1, 2010, the notification criteria for the Ministry of Corrections, Public Safety and Policing was changed so that the Ministry is only required to notify the Office when a child or youth dies or is critically injured while in receipt of direct or delegated services or had received those services within one month of his or her death or critical injury.



## 2010 Investigations

### Child Deaths

Since 1997, the Children's Advocate Office has conducted independent investigations into the deaths of children and youth in receipt of services from the Government of Saskatchewan. Currently, the Children's Advocate Office reviews and, when appropriate, investigates when children and youth die while receiving direct or delegated services or have received services from the Ministry of Social Services within 12 months of their death and/or the Ministry of Corrections, Public Safety and Policing within one month of their death.

At the beginning of 2010, the Children's Advocate Office had 66 open files for potential child death investigations. During 2010, we received an additional 34 child death notifications from government ministries and agencies. Of that total of 100 files, the Children's Advocate Office reviewed and closed 27, and reviewed, investigated and closed three in 2010. Of the 27 children or youth associated with the reviewed and closed files, 16 were in the care of or receiving services from the Ministry of Social Services, seven from the Ministry of Corrections, Public Safety and Policing, one from both ministries, and one from a First Nations child and family services agency. The two remaining child or youth deaths did not meet the criteria for referral to our Office as they had not received government services.

All 27 of those files were closed under Section 18 of *The Ombudsman and Children's Advocate Act*, whereby the Children's Advocate has the discretion to refuse or cease an investigation. Those files were closed following a review of the referring ministry's own child death review report and/or the coroner's report. Data from those cases is captured for summary analysis and reporting, and identification of broader trends and issues. The majority of those reviewed and closed files related to the deaths of medically fragile children, where the review of the case indicated the child had died of natural causes; or youth whose orders of supervision by the Ministry of Corrections, Public Safety and Policing had expired and the review of the case indicated the youth's death was unrelated to the Ministry's provision of services.

The three in-depth child death investigations conducted in 2010 involved a sudden unexplained death of an infant, a natural death of an infant, and an accidental overdose of a teen. All three of the children or youth involved were male and of First Nations ancestry.

### Critical Injuries

The Children's Advocate Office investigates when children and youth suffer critical injuries while receiving direct or delegated services or have received services from the Ministry of Social Services within 12 months of their injury and/or the Ministry of Corrections, Public Safety and Policing within one month of their injury. A "critical injury" is defined by the Children's Advocate Office as being "an incident where the injury sustained by the child or youth necessitates his or her hospitalization and major medical treatment." Additionally, the Office may investigate an attempted suicide as a critical injury, regardless of whether hospitalization or major medical treatment was required.

Did you  
KNOW ?

*That as part of the investigation process, the Children's Advocate may summon and examine under oath any person or subpoena documents. In the 15-year history of the Office, we have never had to invoke these powers as complainants and the provincial government have openly cooperated with our investigators.*



At the beginning of 2010, the Children's Advocate Office had 44 open files for potential critical injury investigations. During 2010, we received an additional 41 critical injury notifications from government ministries and agencies. Of that total 85 files, the Children's Advocate Office reviewed and closed 28, and reviewed, investigated and closed four in 2010.

Of the 28 children or youth associated with the reviewed and closed files, two were in the care of or receiving services from the Ministry of Social Services, one from First Nations child and family services agencies, and 25 from the Ministry of Corrections, Public Safety and Policing. All 28 of those files were closed under Section 18 of *The Ombudsman and Children's Advocate Act*, whereby the Children's Advocate has the discretion to refuse or cease an investigation. Those files were closed following a review of the referring ministry's critical injury review report. Data from those cases is captured for summary analysis and reporting, and identification of broader trends and issues. The majority of those files related to youth whose orders of supervision by the Ministry of Corrections, Public Safety and Policing had expired and the review of the case indicated the youth's injuries were unrelated to the Ministry's provision of services.

Four critical injury investigations were completed in 2010. One of these investigations involved a young girl and her brother, both of First Nations ancestry, who were abused and neglected by their extended family caregivers after placement by the Ministry of Social Services. The three other critical injury investigations completed in 2010 involved three male youth of First Nations ancestry who engaged in unrelated self-harming attempts while in the custody of the Ministry of Corrections, Public Safety and Policing.

## Program and Services

The Children's Advocate Office conducts program and service investigations to ensure that children and youth obtain the benefits to which they are entitled from the Government of Saskatchewan's child and youth serving ministries and from delegated or government funded, community-based agencies and organizations.

In 2010, the Children's Advocate Office initiated one program and service investigation that is in a fact-finding stage and may be closed through advocacy efforts prior to full investigation. One other program and service investigation, initiated in 2007, remains open, but suspended, as the Children's Advocate Office continues to monitor administration and programming reforms at the 4 Directions Stabilization and Assessment Centre.

## Fairness

The staff of the Children's Advocate Office believe that just as adults have access to fairness investigations through the Provincial Ombudsman, children and youth are entitled to the same right. Therefore, we are committed to undertaking fairness investigations that may arise where the decision, action or omission of the Government of Saskatchewan is unreasonable, contrary to law, oppressive, improperly discriminatory, based on a mistake of law or fact, or wrong. Essentially, a "fair process" requires that the child or youth affected is aware that a decision will be made and of the information that will be considered when the decision is made; given an opportunity to provide his or her own information and to challenge the information in the decision-maker's hands; and notified and provided with reasons for the decision. Further, a fair process requires that the decision-maker is basing decisions in consideration of all relevant information, nothing irrelevant and is unbiased.





In 2010, the Children's Advocate Office completed three fairness investigations regarding the issues of prescription coverage for medications, the implementation of court orders, and the duty to investigate child protection referrals by the Ministry of Social Services.

**Table 2: Reviews and Investigations (2008-10)**

| <b>DEATHS</b>                           | <b>2008</b> | <b>2009</b> | <b>2010</b> |
|---|-------------|-------------|-------------|
| Files Open Beginning of Year            | 54          | 61          | 66          |
| Notifications or Referrals Received     | 31          | 31          | 34          |
| Files Reviewed and Closed               | 19          | 22          | 27          |
| Files Reviewed, Investigated and Closed | 5           | 4           | 3           |
| Findings Without Recommendations        | 3           | 3           | 3           |
| Findings With Recommendations           | 2           | 1           | -           |
| Files Open End of Year                  | 61          | 66          | 70          |

| <b>CRITICAL INJURIES</b>                | <b>2008</b> | <b>2009</b> | <b>2010</b> |
|---|-------------|-------------|-------------|
| Files Open Beginning of Year            | 13          | 24          | 44          |
| Notifications or Referrals Received     | 13          | 25          | 41          |
| Files Reviewed and Closed               | -           | 4           | 28          |
| Files Reviewed, Investigated and Closed | 2           | 1           | 4           |
| Findings Without Recommendations        | 1           | -           | -           |
| Findings With Recommendations           | 1           | 1           | 4           |
| Files Open End of Year                  | 24          | 44          | 53          |

| <b>ADMINISTRATIVE FAIRNESS</b>          | <b>2008</b> | <b>2009</b> | <b>2010</b> |
|---|-------------|-------------|-------------|
| Files Open Beginning of Year            | 3           | 4           | 4           |
| Notifications or Referrals Received     | 1           | -           | -           |
| Files Reviewed and Closed               | -           | -           | -           |
| Files Reviewed, Investigated and Closed | -           | -           | 3           |
| Findings Without Recommendations        | -           | -           | -           |
| Findings With Recommendations           | -           | -           | 3           |
| Files Open End of Year                  | 4           | 4           | 1           |

| <b>PROGRAM AND SERVICES</b>             | <b>2008</b> | <b>2009</b> | <b>2010</b> |
|---|-------------|-------------|-------------|
| Files Open Beginning of Year            | 3           | 2           | 1           |
| Notifications or Referrals Received     | -           | -           | 1           |
| Files Reviewed and Closed               | -           | -           | -           |
| Files Reviewed, Investigated and Closed | 2           | 1           | -           |
| Findings Without Recommendations        | 1           | 1           | -           |
| Findings With Recommendations           | -           | -           | -           |
| Files Open End of Year                  | 2           | 1           | 2           |

# Public Education

*Among the authority and responsibilities granted to the Children's Advocate Office by The Ombudsman and Children's Advocate Act is the legislated mandate to become involved in public education respecting the interests and well-being of children.*

The Children's Advocate Office's public education program is designed to raise awareness of our advocacy services for children and youth, and to engage youth in discussions and activities that will inform the perspectives of the Office. Additionally, the Office has placed priority on providing education to professionals employed by child-serving ministries on the human rights of children and youth under the United Nations Convention on the Rights of the Child.

Children's Advocate Office staff members take every opportunity to travel throughout the province and connect with communities, since doing so enhances the work of the Office. The advocates work on a regional basis to deliver information on the services of the Office and the rights of children and youth, and in that process also receive significant feedback on the quality of service delivery by both government ministries and the Office. In 2010, Children's Advocate Office staff gave an increased number of public presentations, with over 141 requests completed.

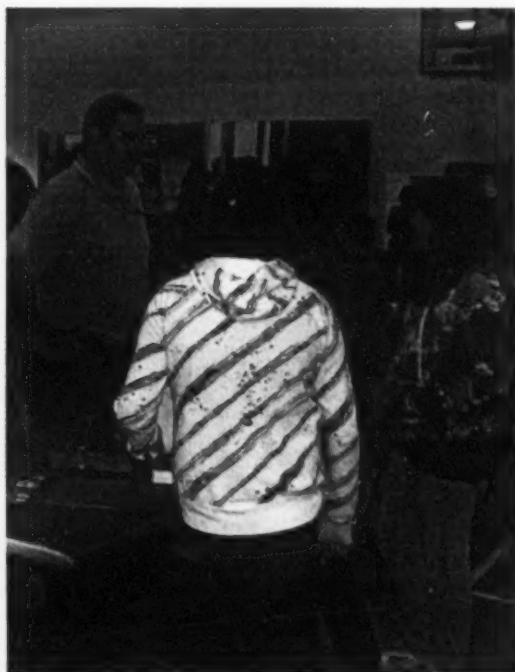
## Youth Voice and Engagement

The Children's Advocate Office speaks with hundreds of children and youth every year as we engage in advocacy on their behalf. We continually encourage children and youth to speak up for themselves and for the adult caregivers in their lives to listen and respect the child or youth's right to participate in decisions affecting them. If a child or youth is uncomfortable expressing their views in a case conference or meeting, it is the Advocate's job to represent them and to ensure that his or her perspective is voiced.

The Children's Advocate Office also works with youth to develop strategies and opportunities to provide feedback on our programs and services. Recently, we have focused on creating strong linkages with established youth programs and organizations throughout the province and country. Most notably among these partnerships is the Office's continuing work with and support of the Saskatchewan Youth in Care and Custody Network (SYICCN).

SYICCN is a not-for-profit, community-based organization that advocates for and supports youth between the ages of 14 and 24, who are in, or have resided in, the child welfare or young offender systems in Saskatchewan. The purpose of the organization is to assist youth who are currently, or were formerly, in government care to have a voice in their lives and to provide consultation and advice to the Government of Saskatchewan and its child-serving ministries, in an effort to improve the programming and services provided to children and youth.

The Children's Advocate Office is privileged to participate with SYICCN, which is a "for youth by youth" organization, by providing adult support for local networks. SYICCN members participate in periodic focus groups conducted by the Children's Advocate Office on specific issues, and the Office has also enlisted representation from SYICCN to sit as a member of the CAO Multi-Disciplinary Advisory Team, which provides a valuable experiential voice on child death and critical injury investigations completed by the Office's investigation team.



## Connecting Across Saskatchewan

Particular attention is paid by Children's Advocate Office staff to visiting First Nations' communities, child and family services agencies and groups homes, to develop ongoing dialogue on their concerns about rights, fairness, equity and the delivery of government services to children and youth on and off-reserve.

Aboriginal children and youth make up nearly 80 per cent of all children and youth in care and therefore, they also represent a disproportionate percentage of the Office's young clients. Additionally, the Children's Advocate Office works to strengthen its relationship with the Federation of Saskatchewan Indian Nations (FSIN) through meetings to discuss and share information and perspectives on key issues in child welfare.

The Saskatchewan Foster Families Association (SFFA) represents some of the most important and unsung heroes of the child welfare system—the foster parents who open their homes to vulnerable children and youth in the province. The Children's Advocate Office regularly meets with the SFFA to receive feedback on issues affecting children and youth in foster care and to support the work of foster parents.

In 2010, the Children's Advocate Office continued to monitor and advocate for solutions to issues identified in the 2009 report, *A Breach of Trust: An Investigation into Foster Home Overcrowding in the Saskatoon Service Centre*.

## Connecting Across Canada

The Children's Advocate Office connects with professionals in other provincial advocate offices across Canada to discuss and share information and strategies on issues that impact children and youth. On a more formal basis, we are a partner in the Canadian Council of Child and Youth Advocates (CCCYA). The CCCYA is an alliance of provincially appointed advocates for children from the Yukon territory, the provinces of Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland and Labrador, Ontario, Saskatchewan, and the Youth Services Section of the Nova Scotia Office of the Ombudsman and the Québec Commission des droits de la personne et des droits de la jeunesse.

The Council member offices work to ensure that children and youth rights are respected and valued, and that their interests and voice regarding services delivered to children and youth by provincial governments are heard. Additionally, they engage in rights-based public education, work to resolve disputes, conduct independent reviews, and recommend improvements regarding programs for children and youth. The CCCYA's work is based on its commitment to uphold the rights proclaimed in the *United Nations Convention on the Rights of the Child*. Although mandates differ provincially, Council members share a common commitment to further the voice, rights and dignity of children and youth.

On June 23, 2010, in Ottawa, the Canadian Council of Child and Youth Advocates held a news conference to report on the current, devastating circumstance for Aboriginal children and youth in Canada – a significant issue of national importance that requires urgent attention. A Position Statement with recommendations was released, which is available on our website at [www.saskcao.ca](http://www.saskcao.ca).

*That the Children's Advocate Office has created lesson plans for grade 6-8 teachers about the United Nations Convention on the Rights of the Child. These plans were written by teachers for teachers and fulfill the learning objectives of the provincial social studies curriculum.*

## 2010 Presentations and Speaking Engagements

As part of its public education mandate, representatives from the Children's Advocate Office provide presentations and speeches to diverse audiences across the province and Canada each year. In 2010, these included the following:

### **Presentation to Children and Youth in Care or Custody**

4 Directions Stabilization and Assessment Centre  
 4 Directions Stabilization and Assessment Centre,  
 School Grad  
 Bethany Home  
 Cote First Nation Group Home, Yorkton Tribal Council (2)  
 Dale's House (4)  
 DOCS (Door Open Community Success) Home,  
 Street Culture Kidz  
 Drumming Hill Youth Centre, North Battleford  
 Eagles Nest Youth Ranch, Christopher Lake Assessment  
 and Stabilization Centre  
 Eagles Nest Youth Ranch, North Battleford  
 Eagles Nest Youth Ranch, Prince Albert (2)  
 Echo Valley Youth Camp (2)  
 Jedidiah House, Youth for Christ, Regina  
 Keeseekoose First Nation Group Home, Yorkton Tribal  
 Council (2) Montreal Lake Group Home, Montreal Lake  
 Kids in Transition Shelter (YWCA Regina)  
 Kozun House, Prince Albert  
 Leading Thunderbird Lodge Treatment Centre  
 Onion Lake Child and Youth Care Group Home  
 Orcadia Youth Residence (4)  
 PAGC Child Care Centre, Prince Albert Grand Council  
 Paul Dojack Youth Centre (3)  
 Prince Albert Adolescent Group Home  
 Prince Albert Children's Haven, Prince Albert Native  
 Coordinating Council  
 Prince Albert Therapeutic Group Home (2)  
 Prince Albert Youth Residence (3)  
 Ranch Ehrlo Society, Corman Park (2)  
 Ranch Ehrlo Society, Regina Native Group Home (2)  
 Red Willow Centre  
 Robert's Place  
 Sundance Group Home  
 Sunshine Group Home, Prince Albert Native  
 Coordinating Council  
 U-Turn Youth for Christ Group Home, Regina  
 Yarrow Youth Farm  
 YDDSA Detoxification Unit  
 YWCA Peer Support Homes, Prince Albert

### **Presentations to Ministry or Delegated Agency Staff and/or Board Members**

**Ministry of Corrections, Public Safety and Policing**  
 Kilburn Hall (2)  
 Young Offender Programs, Regina  
 Drumming Hill Youth Centre

### **Ministry of Social Services**

Family Centred Services, Estevan and Weyburn  
 Family Centred Services, Resource Unit, Regina  
 Family Centred Services, Regina  
 Family Centred Services, Meadow Lake  
 Family Centred Services, Supervisors, North Battleford  
 Family Centred Services, Unit Staff, North Battleford  
 Ranch Ehrlo Society, Corman Park  
 Family Centred Services, Saskatoon (2)

Family Centred Services, Lloydminster  
 Family Centred Services, Child Protection, Yorkton  
 Family Centred Services, Adoption, Yorkton  
 Family Centred Services, Front Line Child Protection,  
 North Battleford  
 Family Centred Services, Swift Current  
 Family Centred Services, Supervisors, Regina  
 Family Centred Services, Moose Jaw  
 Family Centred Services, Melfort  
 Family Centred Services, La Ronge  
 Prince Albert Therapeutic Group Home  
 Family Centred Services, Nipawin

### **First Nations Child and Family Services Agencies**

Wah Ko To Win, James Smith Child and Family Services  
 Sturgeon Lake Child and Family Services  
 Kanawayimik Child and Family Services  
 Battleford Tribal Council  
 Cote First Nation Group Home, Yorkton Tribal Council  
 Keeseekoose First Nation Group Home, Yorkton Tribal  
 Council  
 Meadow Lake Tribal Council  
 Montreal Lake Child and Family Services (2)  
 Four Directions, Yorkton Tribal Council  
 Nechapanuk Child and Family Services  
 Onion Lake Child and Family Services  
 Ahtahkakoop Child and Family Services  
 Peter Ballantyne Child and Family Services  
 Prince Albert Grand Council Child Education Centre

### **Community-Based Organizations**

Eagles Nest Youth Ranch, Saskatoon (2)  
 Aboriginal Family Services, Regina  
 Kozun House, Prince Albert  
 Eagles Nest Youth Ranch, North Battleford  
 Kids in Transition Shelter (YWCA Regina)  
 Eagles Nest Youth Ranch, Prince Albert  
 U-Turn Youth for Christ Group Home  
 Jedidiah House, Youth for Christ, Regina

### **Conferences and Public Presentations**

21<sup>st</sup> Century Leadership Summit, Circle Drive Alliance  
 Church, Saskatoon  
 University of Regina, 4<sup>th</sup> Year Social Work Students  
 Ahtahkakoop ICFS Grand Opening  
 Opportunity Fair, White Buffalo Youth Lodge, Saskatoon  
 Prince Albert Children's Haven Anniversary Celebration  
 Foster Families Support Supper, Yorkton  
 CRU Wellness, Mount Royal Collegiate, Saskatoon  
 Ontario Association of Children's Aid Societies  
 International Conference on Child Welfare and Well-  
 Being, Toronto  
 National Addictions Awareness Week Health Fair,  
 Moosomin  
 Moose Jaw Human Resource Network Luncheon  
 Child Welfare Review Independent Panel, Saskatoon  
 Legislative Intern Presentation, Regina  
 Canadian Bar Association, Saskatchewan Branch, Regina

# Administration

## Annual Operating Budget

The Children's Advocate Office's annual budget is developed to support the Office's mandate, strategic plan, programs and services. The expenditure estimates are prepared based on guidelines provided by the Legislative Assembly Office, which are consistent with direction provided by the Ministry of Finance to government ministries.

The Office's annual budget proposal is prepared by the management team and presented by the Children's Advocate to the provincial Board of Internal Economy. Budget allocations are subsequently determined and approved by the Board.

*The Children's Advocate Office is headquartered in Saskatoon; however, the Office's advocacy, investigation and public education services and programs are delivered throughout the province of Saskatchewan.*

**Table 3: Children's Advocate Office Budget**

| BUDGETARY EXPENDITURES             | 2008-09     | 2009-10     | 2010-11     |
|------------------------------------|-------------|-------------|-------------|
| Personal Services                  | \$1,068,000 | \$1,135,000 | \$1,177,000 |
| Contractual Services               | 157,000     | 164,000     | 180,000     |
| Advertising, Printing & Publishing | 32,000      | 34,000      | 30,000      |
| Travel & Business                  | 85,000      | 87,000      | 87,000      |
| Supplies & Services                | 7,000       | 7,000       | 7,000       |
| Capital Assets                     | 12,000      | 14,000      | 15,000      |
| Budgetary Total                    | \$1,361,000 | \$1,441,000 | \$1,496,000 |

| STATUTORY EXPENDITURES | 2008-09    | 2009-10    | 2010-11    |
|------------------------|------------|------------|------------|
| Personal Services      | \$ 170,000 | \$ 180,000 | \$ 201,000 |
| Statutory Total        | \$ 170,000 | \$ 180,000 | \$ 201,000 |

| TOTAL EXPENDITURES | 2008-09     | 2009-10     | 2010-11     |
|--------------------|-------------|-------------|-------------|
|                    | \$1,531,000 | \$1,621,000 | \$1,697,000 |

## Children's Advocate Office Staff

**Children's Advocate**  
Marvin Bernstein  
Kevin Fenwick (Term)

**Director of Investigations**  
Marcel St-Onge

**Investigators**  
Leah Bitternose (Term)  
Connie Braun (Term)  
Roxane Schury  
Michelle Skjervén (Term)  
Vanessa Vanstone

**Director of Advocacy**  
John Brand

**Advocates**  
Rhonda Johannson  
Melanie Johnson (Term)  
Shaun Soonias  
Elaine Thomas

**Early Resolution Advocate**  
Chandra LePoudre  
Jacqueline Peters (Term)

**Research Analyst**  
Christa Shepherd-Hills (Term)

**Director of Public Education and Communications**  
Laura Beard

**Director of Administration**  
Bernie Rodier

**Executive Administrative Assistant**  
Caroline Sookocheff

**Administrative Assistants**  
Sandi Elliott  
Penny Fairburn  
Jennifer Kovar (Term)





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